

**DATE:** March 2, 2015

030210C.agd

**TO:** Honorable Mayor  
Members of the City Council

**FROM:** Scott Haas, Public Works Director  
Mike Waltman, P.E., Asst. City Engineer  
Annette Margarit, City Attorney



**AGENDA ITEM:** 10C Seasonal Load Restrictions on City Streets

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**ACTION REQUESTED:**

Consider adopting the attached ordinance designating seasonal load restrictions on City streets. This will be the first of two readings for the ordinance.

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**BACKGROUND:**

Every Spring MnDOT, every County in Minnesota, and the vast majority of cities in Minnesota limit the axial loads limits for trucks on their roadways for about 6 weeks. The reason is that roads are most susceptible to damage as they thaw out. Put simply, the underlying soil essentially becomes temporarily “squishy” as the frost comes out. Of course, more damage to City streets would imply a higher cost to the City in the form of higher maintenance demands and ultimately higher needs for major street construction.

Each spring the Public Works Department receives a number questions from haulers asking which roads are designated with lower load restrictions, indirectly wondering which areas they can or cannot drive as they assume the City must have a formal list of routes. Historically this has been answered with a blanket “5 ton” rating for every road. While these restrictions are valuable, the City does not have specific ordinances in place to support these restrictions. To be enforceable, State statute requires cities to have such an ordinance.

In anticipation of this spring’s load restrictions, which are anticipated to be necessary beginning sometime in March, Staff has developed the attached proposed “Spring Weight Restrictions” map and draft ordinance.

The actual method of determining how high a road should be rated would be relatively time consuming and therefore expensive. Staff also did not wish to be overly restrictive and denote every road as a 5 ton rating, however. To balance these conflicting ideas, a more in depth review was conducted on what we anticipate to be the areas where heavier trucks are most likely to be desired by haulers and increased those ratings above 5 tons as appropriate.

Should requests to haul loads greater than allowed by the attached map be made, the ordinance also includes an ability for the Public Works Director to grant special permits. When these requests are made, Staff will conduct a more in depth review of the haul route in question and make a reasonable determination whether the road can sufficiently handle the load proposed. During at least the first year (2015), no permit fee is proposed to cover this review unless the Council desires to implement one. In future years, it may be wise to implement a fee for two purposes; a) to cover the cost of the review by an engineer of the street design compared to the

proposed load to be hauled and b) to limit the number of requests to truly unique needs for hauling larger loads during these temporary restrictions. As special permits are granted and roadway load restrictions are revised, the map will be updated on an annual basis.

Finally, Jordan’s proposed load restrictions would be implemented during the same times as MnDOT. MnDOT determines the dates of its load restrictions on a flexible basis based on the actual soil temperatures in specific regions in the State. By adopting MnDOT’s dates, Jordan would be adopting reasonable dates each year based on real data without needing to conduct its own analysis or collect its own data.

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**FISCAL IMPACT:**

None

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**STAFF RECOMMENDATION:**

Staff recommends putting the ordinance on the next meeting agenda for a second/final reading before adoption.

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**COUNCIL ACTION:**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_

Approved: \_\_\_\_\_ Disapproved: \_\_\_\_\_ Tabled: \_\_\_\_\_

Other: \_\_\_\_\_  
\_\_\_\_\_

CITY OF JORDAN  
ORDINANCE 2015-0\_\_

AN ORDINANCE AMENDING CITY CODE CHAPTER 70 RELATING TO TRAFFIC

Section 1: BE IT ORDAINED BY THE JORDAN CITY COUNCIL THAT Jordan City Code Section 70.03 be repealed in its entirety.

Section 2: BE IT ALSO ORDAINED BY THE JORDAN CITY COUNCIL THAT Jordan City Code Section 70.04 be amended by repealing current subsections (C) and (D) in their entirety as unnecessary and renumbering Section 70.04(E) to 70.04(D).

Section 3: BE IT ALSO ORDAINED BY THE JORDAN CITY COUNCIL THAT Jordan City Code Section 70.04 be further amended by adding new subsection (C) as follows:

(C) *Orders of an officer.* It is a misdemeanor for any person to willfully fail or refuse to comply with any direction of police officers or firefighters who within the course of their duty are directing, controlling or regulating traffic.

Section 4: NOW BE IT ALSO ORDAINED BY THE JORDAN CITY COUNCIL THAT Jordan City Code Section 70.08 is amended by repealing the current language of 70.08 in its entirety.

Section 5: NOW BE IT ALSO ORDAINED BY THE JORDAN CITY COUNCIL THAT Jordan City Code Section 70.08 shall read as follows:

**§70.08 SIZE, WEIGHT AND LOAD ROADWAY RESTRICTIONS.**

(A) *Adopted by reference.* The regulatory provisions of M.S. §§ 169.80 through 169.89, as amended, are hereby adopted by reference as roadway restriction ordinances, regulating the size, weight and load restrictions of all vehicles upon the roadways within the city, and are hereby incorporated and made a part of this code as completely as if set out in full herein.

(B) *Size, weight and load restrictions.* It shall be unlawful for any person to drive or move, or for the owner to cause or knowingly permit to be driven or moved, on a roadway within the city, a vehicle or vehicles of a size, weight or load exceeding the limitations provided in M.S. §§ 169.80 through 169.89.

(C) *Seasonal load restrictions.*

(1) Pursuant to Minn. Stat. §169.89, Subd. 1, the City Council, by a duly adopted resolution and upon recommendation of the Public Works Director, may impose prohibitions and restrictions as to the weight of vehicles on the city's streets between the dates set by the Commissioner of Department of Transportation each year if roadway conditions so warrant.

(2) No person shall drive or move, nor shall the owner cause or knowingly permit to be driven or moved, on a roadway within the city, a vehicle or vehicles of a weight exceeding the posted seasonal limitations as set forth by City Council resolution.

(D) *Special permit.* The City Council authorizes the City's Public Works Director in his/her discretion, with respect to City roadways, upon application in writing and good cause shown, to issue a special permit, in writing, authorizing an applicant to move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum and to impose appropriate conditions upon the movement of such vehicle.

Section 6: EFFECTIVE DATE.

This Ordinance shall become effective following its publication in the official newspaper of the City.

ORDAINED by the City Council of the City of Jordan, Scott County, Minnesota this \_\_\_\_ day of \_\_\_\_\_, 2015.

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Mike Shaw, Mayor

ATTEST:

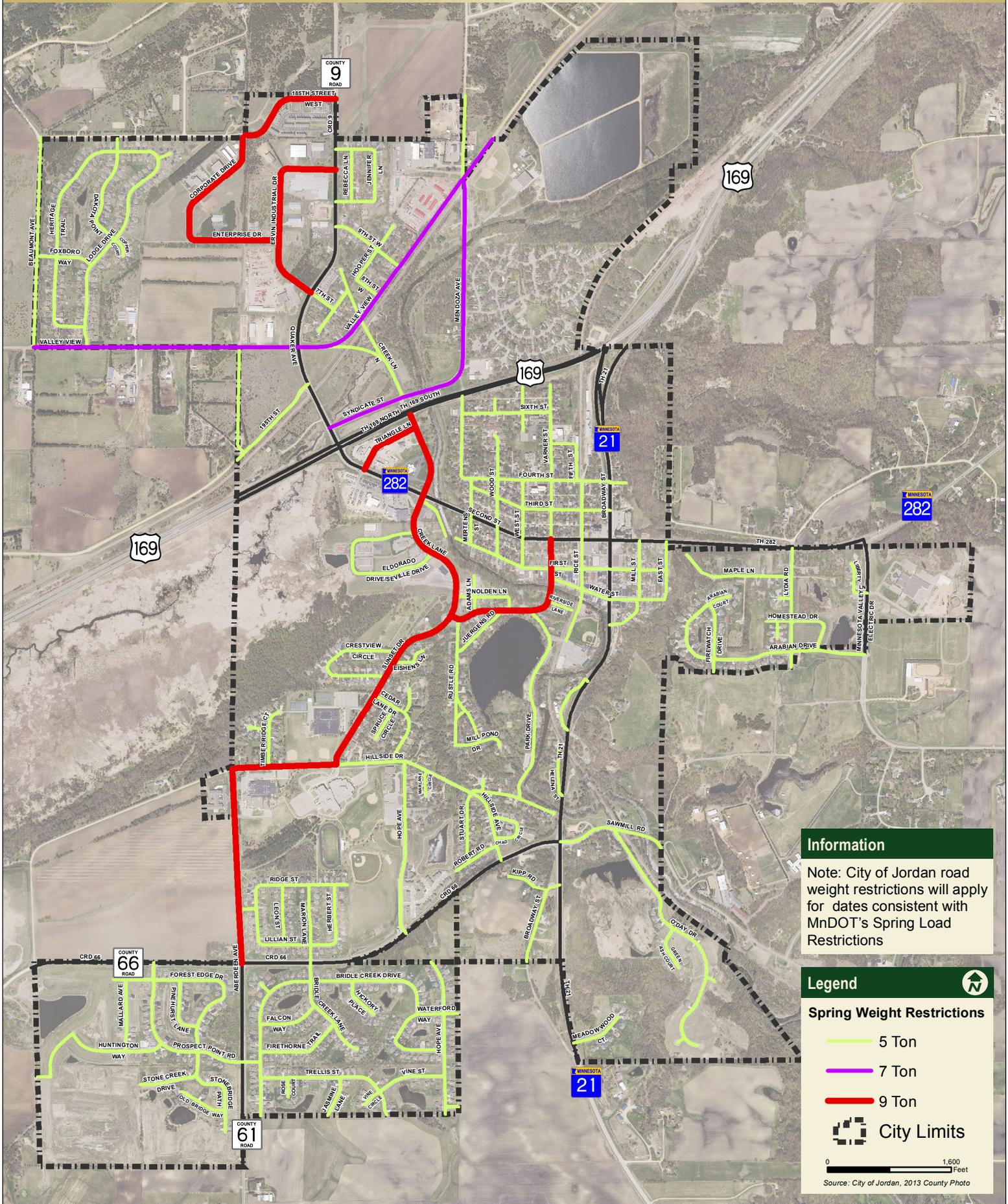
\_\_\_\_\_  
Tom Nikunen, City Administrator



# Spring Weight Restrictions

City of Jordan

February 2015



**Information**

Note: City of Jordan road weight restrictions will apply for dates consistent with MnDOT's Spring Load Restrictions

**Legend**

**Spring Weight Restrictions**

- 5 Ton
- 7 Ton
- 9 Ton
- City Limits

0 1,600 Feet  
Source: City of Jordan, 2013 County Photo